



08-21-06

IAP15 Rec'd PCT/PTO 18 AUG 2006

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

	Application Number	10/568,265	
	Filing Date	N/A	
	First Named Inventor	SCHWARZ, Stefan	
	Group Art Unit	N/A	
	Examiner Name	Shakeel Ahmed.	
Total Number of Pages in This Submission	9	Attorney Docket Number	20496-506

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1- Declaration and Assignment 2- Return postcard
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Charles Guttman, Reg. No. 29,161
Signature	
Date	August 16, 2006

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

ER 330443031 US

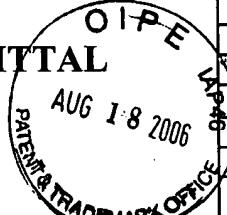
Typed or printed name	Elizabeth Tavarez
Signature	
Date	August 16, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option.

**FEE TRANSMITTAL**

I FY 2005



Complete if Known	
Application Serial Number	10/568,265
Filing Date	N/A
First Named Inventor	SCHWARZ, Stefan
Group Art Unit	N/A
Examiner Name	Shakeel Ahmed
Attorney Docket No.	20496-506

**METHOD OF PAYMENT**

<input checked="" type="checkbox"/> Payment Enclosed:	<input type="checkbox"/> Check <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 16-2500	
<input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.	

Applicant claims small entity status.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	Filing	Search	Examination	Fee Paid
Utility	300	500	200	
Design	200	100	130	
Plant	200	300	160	
Reissue	300	500	600	
Provisional	200	0	0	

*Small Entity Discount*

**1. TOTAL** 0.00

**2. EXCESS CLAIM FEES**

	Fee	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent.	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.	200	100
Total Claims	Extra Claims	Fee Paid (\$)
- 20 or HP=	X \$50 =	\$

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee Paid (\$)
- 3 or HP=	X \$200 =	\$
HP = highest number of total claims paid for, if greater than 3		

Multiple Dependent Claims	Fee(\$)	Small Entity fee (\$)	Fee Paid (\$)
	360	180	

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**2. TOTAL:** \$0.00

01 FC:1617 130.00 DA

**3. APPLICATION SIZE FEE**

If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)	Fee Paid
-100 =	/50 =	round up to a whole number	x =	
				<b>3. TOTAL:</b> \$0.00

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

Patent Administrator  
Proskauer Rose LLP  
1585 Broadway Room 17-19  
New York, N.Y.  
Tel. No.: (212) 969-3180  
Fax No.: (212) 969-2900

**FEE CALCULATION (continued)**

**4. ADDITIONAL FEES**

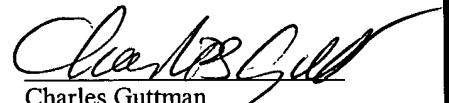
Large Entity	Small Entity	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte re-examination	
120	60	Extension for reply within 1 <sup>st</sup> mo.	
450	225	Extension for reply within 2 <sup>nd</sup> mo.	
1,020	510	Extension for reply within 3 <sup>rd</sup> mo.	
1,590	795	Extension for reply within 4 <sup>th</sup> mo.	
2,160	1,080	Extension for reply within 5 <sup>th</sup> mo.	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
400	0	Petitions to the Director	
180	180	Submission of IDS	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			
			<b>4. TOTAL:</b> \$130.00

**TOTAL AMOUNT SUBMITTED**

(\$ 130.00)

**SIGNATURE BLOCK**

Respectfully submitted,

  
 Charles Guttmann  
 Proskauer Rose LLP  
 1585 Broadway  
 Room 17-19  
 New York, N.Y. 10036



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,265	Stefan Schwarz	20496506
INTERNATIONAL APPLICATION NO.		
PCT/EP04/08727		
I.A. FILING DATE	PRIORITY DATE	
08/04/2004	08/13/2003	
<b>CONFIRMATION NO. 9731</b>		
<b>371 FORMALITIES LETTER</b>		
 *OC000000019965993*		

Date Mailed: 08/11/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/13/2006
- English Translation of the IA filed on 02/13/2006
- Copy of the International Search Report filed on 02/13/2006
- Copy of IPE Report filed on 02/13/2006
- Copy of Annexes to the IPER filed on 02/13/2006
- Preliminary Amendments filed on 02/13/2006
- Information Disclosure Statements filed on 02/13/2006
- U.S. Basic National Fees filed on 02/13/2006
- Priority Documents filed on 02/13/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity.

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

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Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,265	PCT/EP04/08727	20496506

FORM PCT/DO/EO/905 (371 Formalities Notice)



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/568,265		Stefan Schwarz	20496506

**CONFIRMATION NO. 9731**

**WITHDRAWAL  
NOTICE**

Charles Guttman  
 PROSKAUER ROSE  
 Patent Department  
 1585 Broadway  
 New York, NY 10036

Date Mailed: 08/11/2006

**WITHDRAWAL OF PREVIOUSLY SENT NOTICE**

The Notice of Abandonment mailed on 07/26/2006 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. The Office regrets any inconvenience the error may have caused.

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
 PART 2 - COPY TO BE RETURNED WITH RESPONSE